

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Per Martinsson, et al.  
Serial No. : 10/608,630  
For : WEAR LEVEL INDICATING FILAMENTS AND  
FABRICS (AND GUIDELINE APPLICATIONS)  
Filing Date : June 27, 2003  
Examiner : Andrew T. Piziali  
Group Art Unit : 1794  
Confirmation No. : 8456

745 Fifth Avenue  
New York, NY 10151

**FILED VIA EFS-WEB**  
**ON September 24, 2009**

**NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31**  
**WITH APPLICANTS' PRE-APPEAL BRIEF REQUEST FOR REVIEW**

**MAIL STOP AF**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR 41.31 and MPEP 12.187, and in response to the Office Action dated July 10, 2009, Applicants hereby appeal to the Board of Patent Appeals and Interferences.

No fee should be required by reason of the instant Notice of Appeal, in view of the appeal fees paid in full for the previously filed Notice of Appeal dated August 28, 2008; however, if any fees are required, please charge any additional payment, or credit any overpayment, to Deposit Account No. 50-0320.

Respectfully submitted,  
FROMMER LAWRENCE & HAUG LLP

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